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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D. C. 20554

In the matter of )  
 Amendment of Section 73.202 (b) ) MB Docket No. \_\_\_\_\_  
 Table of Allotments )  
 FM Broadcast Stations ) RM- \_\_\_\_\_  
 (Erie, Pennsylvania) )

**PETITION FOR RULEMAKING**

To the Chief, Allocations Branch:

Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated:

1. Petitioner proposes the Commission allot FM channel 240A to Erie, PA as its fifth commercial FM service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<b><u>Community</u></b>	<b><u>Present</u></b>	<b><u>Proposed</u></b>
Erie, PA	234A, 250B, 272A, 279B	234A, 240A, 250B, 272A, 279B

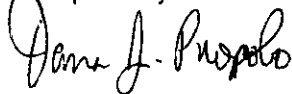
2. Erie is an incorporated city located in northwest Pennsylvania. It is located in Erie County. In 2000, the U.S. Census Bureau estimated that Erie had a population of 103,717 persons.

3. FM channel 240A can be assigned to Erie in full compliance with the Commission's minimum distance separation requirements. This is illustrated the attached spacing study. Coordinates used are N 42:09:54, W 79:59:24 and are located approximately 10 Km NE of Erie. This site restriction is necessary to prevent a short spacing with station WAKZ, Sharpsville, PA.

4. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate FM channel 240A if it is allotted to Erie as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,



Dana J. Puopolo  
 2134 Oak St., Unit C  
 Santa Monica, CA 90405  
 June 2, 2003

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 List A B C D E  
 FM-111B  
 03-158

240A Erie, PA

Spacing study FM channel 240A, Erie, PA at coordinates: 42°9'54", 79°59'24"

CHAN	FREQ	CALL	LOCATION		DIST	REQ	CLEAR
237C1	95.3	CKDSFM	HAMILTON	ON CA	117	87	30
237A	95.3	PRM	CELORON	NY US	59	31	28
238B	95.5	WFHM-FM	CLEVELAND	OH US	148	69	79
239B	95.7	WPIG	OLEAN	NY US	128	113	15
240A	95.9	WNPQ	NEW PHILADELPHIA	OH US	215	115	100
240C1	95.9	CFPLFM	LONDON	ON CA	137	101	36
240C1	95.9	ALLOC	LONDON	ON CA	136	101	35
240A	95.9	VACANT	SYKESVILLE	CA US	157	115	42
240C1	95.9	CFPL-FM	LONDON	ON CA	136	101	35
240A	95.9	WAKZ	SHARPSVILLE	PA US	115	115	0
241B	96.1	WKST-FM	PITTSBURGH	PA US	196	113	83
241B	96.1	WJYE	BUFFALO	NY US	122	113	9
242A	96.3	WKQW-FM	OIL CITY	PA US	90	31	59
242C1	96.3	RM	TORONTO	ON CA	172	88	84
243A	96.5	WBKX	FREDONIA	NY US	55	31	24
243B	96.5	WAKS	AKRON	OH US	168	69	98
243B	96.5	WAKS	AKRON	OH US	168	69	99
243A	96.5	WBKX	FREDONIA	NY US	55	31	24

